UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,431	10/16/2006	Koichiro Shoji	062094	9987

38834 7590 09/04/2008

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
WRIGHT, BRYAN F	

ART UNIT	PAPER NUMBER
2131	

MAIL DATE	DELIVERY MODE
09/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/568,431	SHOJI ET AL.	
	Examiner	Art Unit	
	BRYAN WRIGHT	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/14/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to application file on October 16, 2006. Claims (1-21) are pending.

Priority

2. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) - (d) is acknowledged.

The application is filed on October 16, 2006 but is a 371 case of PCT/JP0411783 application filed 08/17/2004 and has a foreign priority application Japan 2003-294056 filed on 08/18/2003.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Mathiassen et al. (US Patent Application No. 2004/0123113 and Mathiassen hereinafter).

4. As to claim 1, Mathiassen teaches a **electronic data management apparatus comprising:**

data storing means storing data [fig. 1b];

identification data storing means having identification data for authentication registered therein [fig. 1b];

input means for entering authentication information about a user [fig. 1b];

authentication means performing authentication of said user by comparing data entered from said input means with said identification data registered in said identification data storing means (i.e., ... teaches providing increased security by bridging the functionality of biometrics input from a user and, upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus, device, network or system, whether local or remote. … further teaches a corresponding method of using the portable device or the embedded device is disclosed for providing a bridge from biometrics input to a computer locally [abstract]);

and interface means connected to an electronic computer to transmit and receive said data [fig. 1b];

where access to said data is permitted when said entered data and said identification data match each other as a result of said authentication (i.e., … teaches upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus [abstract]);

said electronic data management apparatus further comprising: program storing means storing a control program [fig. 1b];

wherein after said user has been authenticated by said authentication means, said control program is installed in said computer to enable reading said data from said computer [abstract].

5. As to claim 2, Mathiassen teaches a **electronic data management apparatus where said control program unlocks said electronic data management apparatus upon completion of said authentication by said authentication means** (i.e., … teaches upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus [abstract]), **and allows said computer connected thereto to start automatic recognition of said electronic data management apparatus** [abstract].

6. As to claim 3, Mathiassen teaches a **electronic data management apparatus further comprising: switch control means selectively switching between said data storing means and said program storing means** (i.e., …teaches extra storage capacity, the IC can be equipped with a USB mass storage class controller with at least one control endpoint and 2 bulk endpoints (in/out) in order to provide access to data onboard the portable device [par. 58]).

7. As to claim 4, Mathiassen teaches a **electronic data management apparatus where writing to said data storing means can be performed from said computer** (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136])**, and a history of handling said data on said computer or a history of operating said computer to handle said data is written to said data storing means by said control program** (i.e., ... teaches to log all accesses for subsequent review [par. 122]).

8. As to claim 5, Mathiassen teaches a **electronic data management apparatus where said identification data is fingerprint data, wherein fingerprint information about said user is entered from said input means and said authentication means performs fingerprint authentication of said user** [abstract].

9. As to claim 6, Mathiassen teaches a **electronic data management apparatus where said identification data is a registered personal identification number, wherein a personal identification number is entered from said input means and said authentication means authenticates said user by comparing said personal identification number with said registered personal identification number** (i.e., … teaches registration is performed by entering the name of the system administrator into the access administration table, as well as user ID, which may be the unique national identity number [par. 128]. Those skilled in the art would recognize inherent to the teaching of Mathiassen unique id and number is comparison authentication of such data).

10. As to claim 7, Mathiassen teaches a **electronic data management apparatus where said authentication means has a mechanical lock and a key, so that said user having said key** (i.e., user ID) **is permitted to access said data** (i.e., … teaches the matching of the access minutiae table does not match the stored master minutiae table of the user ID entered, then the locking pin of the locking mechanism [par. 137])

11. As to claim 8, Mathiassen teaches **a control program for use with an electronic data management apparatus, said electronic data management apparatus having:**

an authentication information storing area that stores registered authentication information [abstract[;

an input section for entering identification information about a user [fig. 1b];

an authentication section having an authentication function of performing authentication of said user by comparing said authentication information and said identification information with each other (i.e., … teaches upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus [abstract]);

a data storing area that stores data; and a program storing area that stores a control program [fig. 1b];

where when said electronic data management apparatus is connected to an

electronic computer, said authentication section performs said authentication of said user, and upon completion of said authentication, said user is permitted to access said data storing area (i.e., … teaches upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus [abstract]);

said control program being installed in said computer after said authentication has been performed [fig. 1b];

where when an operation is performed on said computer by using said data, said control program operates said computer so as to store a history of said operation (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136]).

12. As to claim 9, Mathiassen teaches **a control program for use with an electronic data management where when said electronic data management apparatus is disconnected from said computer, said control program deletes said data transmitted into said computer** (i.e., .. Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b].

13. As to claim 10, Mathiassen teaches **a control program for use with an electronic data management apparatus which incorporates an automatic**

disappearance program having a function of causing said control program to disappear automatically when said electronic data management apparatus is disconnected from said computer (i.e., .. Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b])

14. As to claim 11, Mathiassen teaches **a control program for use with an electronic data management apparatus which has a function of becoming disabled from operating in said computer** (i.e., .. Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b])

15. As to claim 12, Mathiassen teaches **a control program for use with an electronic data management apparatus which has:**

a history obtaining function of obtaining at least one history selected from histories of duplicating, deleting, editing, viewing, reading and writing said data on said computer, or a history of files or new data created by using said data (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136]);

a data recording function of writing said history to said data storing area (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136]);

and a transmission function of transmitting said history by using communication means (i.e., teaches copied to the database of the terminal (42) and optionally to a server of a network [par. 136])

16. As to claim 13, Mathiassen teaches **a control program for use with an electronic data management apparatus where said history is an operation history of operating from input means of said computer** (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136]).

17. As to claim 14, Mathiassen teaches **a control program for use with an electronic data management apparatus which limits a file system of said computer so as to permit only at least one operation selected from duplicating, deleting, editing, viewing, reading and writing said data on said computer by a specific application program or arbitrarily** (i.e., …teaches the IC is adapted to provide data to the external access-limited apparatus [par. 50]).

18. As to claim 15, Mathiassen teaches **a control program for use with an electronic data management apparatus which runs in a kernel mode in which all instructions of an OS of said computer are executable** (i.e.., … teaches a pre-processing block (SC) using hardware-embedded algorithms optimized for the laborious initial high-speed processing [par. 68])

19. As to claim 16, Mathiassen teaches **a electronic data management method using an electronic data management apparatus said electronic data management apparatus having:**

an authentication information storing section that stores authentication information [abstract];

an input section for entering authentication information about a user [fig. 1b];

an authentication section that performs authentication of said user by using data from said input section [abstract];

and a data storing section that stores data (i.e., …teaches extra storage capacity, the IC can be equipped with a USB mass storage class controller with at least one control endpoint and 2 bulk endpoints (in/out) in order to provide access to data onboard the portable device [par. 58])

where when said electronic data management apparatus is connected to an electronic computer [fig. 1b], **said authentication section performs said authentication of said user, and said user having said authentication information matching said authentication information registered in said authentication information storing section is permitted to access said data** (i.e., … teaches upon positive authentication of the user's fingerprint locally to provide secure communication with the said access-limited apparatus [abstract]);

where said electronic data management apparatus has a program storing section that stores a control program, and upon completion of said

authentication [par. 69]**, said control program is installed in said computer to ensure a use environment in which said data is used in said computer** (i.e., ... teaches the reduced data are gradually transferred from the working volatile memory (SC) to the central processor via the high-speed bus [par. 69]).

20. As to claim 17, Mathiassen teaches **a electronic data management method where said use environment is a limitation that permits access to said data only from a specific application program that runs on said computer** (i.e., …teaches the IC is adapted to provide data to the external access-limited apparatus [par. 50]).

21. As to claim 18, Mathiassen teaches **a electronic data management method where said control program has a function of leaving a history of operating from input means of said computer, or a history of access to said data in at least one operation selected from duplicating, deleting, editing, viewing, reading and writing operations using said data, or a history of files or new data created by using said data** (i.e., … teaches the event is logged in the non-volatile memory of the IC [par. 136]);

22. As to claim 19, Mathiassen teaches **a electronic data management method according to claim 16, wherein when said electronic data management apparatus is disconnected from said computer, said control program deletes at least one of said data in said computer, duplicates of said data, and data or files created by**

using said data (i.e., .. Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b]).

23. As to claim 20, Mathiassen teaches **a electronic data management method where said control program incorporates an automatic disappearance program having a function of causing said control program to disappear automatically** (i.e., .. Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b]).

24. As to claim 21, Mathiassen teaches **a electronic data management method where said control program has a function of becoming disabled from functioning in said computer** (i.e., .. .Those skilled in the art would recognize the automatic disappearance of program when apparatus becomes disconnected as applicant claims is merely inherent behavior of a USB connection. Examiner submits Mathiassen teaches USB connection [fig. 1b]).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2131
/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2131